

DOCKET NO: 239522US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

NAOHIRO TODA ET AL

SERIAL NO: 10,606,750

FILED: JUNE 27, 2003

FOR: ELECTROPHOTOGRAPHIC
PHOTORECEPTOR, METHOD FOR
MANUFACTURING THE
ELECTROPHOTOGRAPHIC
PHOTORECEPTOR, AND IMAGE
FORMING APPARATUS USING THE
ELECTROPHOTOGRAPHIC
PHOTORECEPTOR

:

: EXAMINER: DOTE, JANIS L.

:

: GROUP ART UNIT: 1756

:

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Tatsuya Irimi who deposes and states:

1. That I am a graduate of Chiba University and received a bachelor degree in the year 1984.
2. That I have been employed by Ricoh Company Limited for 22 years as an engineer in the field of Electrophotography.
3. That I have reviewed Nukuda et al (US 6,268,096) over which claims of the present application have been rejected in the Office Action of May 26, 2006.

Based on my review of Nukuda et al and in particular expanded Figure 4 of Nukuda et al, a copy of which is attached herewith, I have found that there is no Bragg angle X-ray diffraction peak in expanded Figure 4 at an angle of $23.5^\circ \pm 0.2^\circ$.

BEST AVAILABLE COPY

4. The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing therefrom.

5. Further deponent saith not.

Tatuya Niimi
Signature

September 20, 2006
Date

FIG. 4

